

# Notice of Allowability

Application No.

09/863,594

Examiner

Eric Hug

Applicant(s)

RHEIMS ET AL.

Art Unit

1731

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on May 3, 2006.
2. ☒ The allowed claim(s) is/are 1-11 and 13-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 7/9/2001, 3/7/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

***Response to Amendment***

The following is in response to the amendment filed on May 3, 2006.

***Allowable Subject Matter***

Claims 1-11 and 13-19 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 1-4, 6-11, 13, 14, and 19 are allowed, because the prior art does not disclose or suggest treating a fiber stock suspension at a pH of approximately 10-13 and at least one additive including  $\text{CaCO}_3$  together in a fluffer, separating the fiber material in a fluffer to increase the surface area of the fibers, and filling the fibers with the at least one additive.

Claims 5 and 18 are allowed, because the prior art does not disclose or suggest treating a fiber stock suspension at a pH of approximately 10-13 and at least one additive including  $\text{CaCO}_3$  together in a fluffer comprising knives or toothed fluffer disks, and separating the fiber material in the fluffer to increasing the surface area of the fibers.

Claims 15-17 are allowed, because the prior art does not disclose or suggest treating a fiber stock suspension at a pH of approximately 10-13 and at least one additive including  $\text{CaCO}_3$  together in a fluffer, separating the fiber material in the fluffer to increase the surface area of the fibers, a further adding  $\text{Ca(OH)}_2$  before, in, or after the fluffer.

It is recognized that the claimed fluffer acts on fibers in a manner different from that of a refiner or disintegrator used in prior art processes. It is also recognized that the combination of fiber and additive together in the fluffer reads over processes where the fibers are fluffed prior to providing an additive.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

Applicant's arguments filed May 3, 2006 have been fully considered.

The amendment to claim 1 has overcome the objection set forth previously.

The amendment to claim 4 has overcome the rejection under 35 U.S.C. 112, second paragraph, set forth previously.

Arguments regarding the amended claims are persuasive. The amendments have overcome the rejection under 35 U.S.C. 103(a) over Wu et al (US 6,074,524) set forth previously.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



jeh